

REMARKS

Applicant respectfully requests reconsideration of this application. Claims 1-26 were rejected. Claims 1-26 are pending. Claims 1, 3, 13, 18, and 23 have been amended without introducing any new matter. No claims have been canceled or added. A Request for Continued Examination accompanies the current response.

**Rejections Under 35 U.S.C. § 102(b)**

Claims 1 and 3-5 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,551,536 A, of Li et al. ("Li"). Applicant respectfully traverses the rejection. Claim 1 as amended sets forth:

*the optical transceiver putting an identification into the first optical signal to send with the first optical signal to the WSM to allow the WSM to determine if the second optical signal corresponds to the first optical signal.*

(Claim 1 as amended; emphasis added)

In contrast, Li fails to disclose the above limitation. Li discloses a station periodically sending light pulses. When the failed link is repaired, *the station* can then *receive* its *own* pulses and *decide* that the link is up. (Li, col. 3, ln. 61-64) The Office Action stated that the pulses identify the station itself since *the station recognizes its own pulses* (Office Action, p. 15, last paragraph). In other words, the station sends pulses to identify the signal the station generates to itself. However, Li does not disclose an optical transceiver putting an identification into the optical signal to allow *another component, the WSM, to determine if the second optical signal corresponds to the first optical signal*. Therefore, Li fails to anticipate claim 1 as amended. Withdrawal of the rejection is respectfully requested.

Claims 3-5 depend, directly or indirectly, from claim 1, and thus, are not anticipated by Li for the reason discussed above with respect to claim 1. Withdrawal of the rejection is respectfully requested.

### **Rejections Under 35 U.S.C. § 103(a)**

Claims 6-8 and 23-25 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Li in view of U.S. Patent No. 6,417,944 B1, of Lahat et al. (“Lahat”). Applicant respectfully traverses the rejection.

Claims 6-8 depend from claim 1, and thus, include all limitations set forth in claim 1. For the reason discussed above with respect to claim 1, Li fails to disclose an optical transceiver putting an identification into the optical signal to allow *another component, the WSM, to determine if the second optical signal corresponds to the first optical signal.* Likewise, Lahat fails to disclose the above limitation as well. Lahat discloses an ATM switch using an all optical switching fabric to perform switching functions. Lahat does not specifically teaches an optical transceiver putting an identification into the optical signal to allow *another component, the WSM, to determine if the second optical signal corresponds to the first optical signal.* Since neither Li nor Lahat, alone or in combination, teaches the limitation above, claims 6-8 are patentable over Li in view of Lahat for at least this reason. Withdrawal of the rejection is respectfully requested.

Claim 23 as amended sets forth:

*in response to the WSM receiving the first optical signal,* causing a processor to look up a wavelength designated to the channel;  
(Claim 23 as amended; emphasis added)

In contrast, neither Lahat nor Li discloses the above limitation. The Office Action admitted that Li fails to disclose causing a processor to look up a wavelength designated to

the channel (Office Action, p. 4). Further, Lahat also fails to disclose the above limitation. According to Lahat, the scheduler looks up the wavelength corresponding to the destination output *when* the scheduler *decides to send the data to a switch* (Lahat, col. 8, ln. 4-7). The scheduler in Lahat does not look up the wavelength *in response to the WSM (wavelength switch module) receiving the first optical signal*. Therefore, Lahat also fails to disclose the limitation set forth in claim 23. Since neither Li nor Lahat, alone or in combination, teaches all limitations in claim 23, claim 23 is patentable over Li in view Lahat. Withdrawal of the rejection is respectfully requested.

Claims 24-25 depend, directly or indirectly, from claim 23, and thus, are patentable over Li in view Lahat for the reason discussed above with respect to claim 23. Withdrawal of the rejection is respectfully requested.

### Rejections Under 35 U.S.C. § 103(a)

Claims 9-11 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Lahat in view of U.S. Patent No. 6,826,368 B1, of Koren et al. (“Koren”). Applicant respectfully traverses the rejection.

Claim 9 sets forth:

*receiving* an interrupt from a wavelength switch module;

(Claim 9 as amended)

In contrast, Lahat and Koren fails to disclose the above limitation. The Office Action argued that the collision in Lahat is analogous to the “interrupt” in claim 9 (Office Action, p. 5, last paragraph; Lahat, col. 9, ln. 16-22). Applicant respectfully disagrees with the Office Action for the following reason. The scheduler in Lahat checks for a collision *before*

*sending any data* (Lahat, col. 9, ln. 18-22). Note that the optical switch module in Lahat does not send the “collision” to the scheduler and the scheduler does not receive the “collision.” The scheduler takes the initiative to check for the “collision” by itself. (Lahat, col. 9, ln. 18-36) Unlike Lahat, the invention as claimed receives an interrupt from a wavelength switch module. Therefore, Lahat fails to disclose the limitation set forth in claim 9 as amended.

Likewise, Koren also fails to disclose the above limitation. Koren merely discloses using a routing table to determine the network location of a particular subnetwork (Koren, col. 6, ln. 13-53). Koren does not teach receiving an interrupt from a wavelength switch module. Since neither Lahat nor Koren, alone or in combination, teaches the limitation of claim 9 set forth above, claim 9 as amended is patentable over Lahat in view of Koren. Withdrawal of the rejection is respectfully requested.

Claims 10-11 depend, directly or indirectly, from claim 9, and thus, are patentable over Lahat in view of Koren for the reason discussed above with respect to claim 9. Withdrawal of the rejection is respectfully requested.

### **Rejections Under 35 U.S.C. § 103(a)**

Claim 12 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Lahat in view of Koren, as applied to claim 10 above, and further and in view of U.S. Patent No. 6,369,926 B1, of Lyu et al. (“Lyu”). Applicant respectfully traverses the rejection. Claim 12 depends from claim 9, and thus includes every limitation set forth in claim 9. For the reason discussed above, neither Lahat nor Koren discloses in response to an interrupt from a wavelength switch module, identifying an input port of the WSM that receives a first optical signal from an optical transceiver. Furthermore, Lyu also fails to make up the deficiencies of

Lahat and Koren. Lyu merely discloses an error detector for receiving an output electrical signal from the wavelength locker, detecting a sum and difference of the signals, amplifying the sum and difference, dividing the difference by the sum, and generating an error signal which is used for a stabilizing feedback circuit (Lyu, col. 3, ln. 54-59). Lyu does not teach receiving an interrupt from a wavelength switch module. Since none of Lahat, Koren, and Lyu, alone or in combination, teaches every limitation in claim 12, claim 12 is patentable over Lahat in view of Koren and Lyu. Withdrawal of the rejection is respectfully requested.

### Rejections Under 35 U.S.C. § 103(a)

Claims 13, 15-18, and 20-22 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Li in view of U.S. Patent No. 6,504,969 B1, of Tsao et al. (“Tsao”).  
Applicant respectfully traverses the rejection.

Claim 13 as amended sets forth:

a set of one or more processors coupled to the WSM *to automatically determine whether the second optical signal corresponds to the first optical signal in response to the identification* and an interrupt from each of the WSM and the optical transceiver.

(Claim 13 as amended; emphasis added)

In contrast, neither Li nor Tsao discloses the above limitation. Li discloses a station periodically sending light pulses. When the failed link is repaired, *the station* can then *receive* its *own* pulses and *decide* that the link is up. (Li, col. 3, ln. 61-64) The Office Action stated that the pulses identify the station itself since *the station recognizes its own pulses* (Office Action, p. 15, last paragraph). In other words, the station sends pulses to identify the signal the station generates to itself. However, Li does not disclose a set of processors to automatically determine whether the second optical signal corresponds to the first optical signal in response to the identification and an interrupt.

Likewise, Tsao also fails to disclose the above limitation. Tsao merely discloses an optical encoder (Tsao, abstract). Since neither Li nor Tsao, alone or in combination, teaches the limitation set forth above, claim 13 as amended is patentable over Li in view of Tsao. Withdrawal of the rejection is respectfully requested.

For the reason discussed above with respect to claim 13, claim 18 is patentable over Li in view of Tsao. Claims 15-17 and 20-22 depend, directly or indirectly, from claims 13 and 18, respectively, and thus, are patentable over Li in view of Tsao. Withdrawal of the rejection is respectfully requested.

### **Rejections Under 35 U.S.C. § 103(a)**

Claim 26 is rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 7,076,163 B2, of Kinoshita et al. (“Kinoshita”) in view of Li, and further and in view of Lahat. Applicant respectfully traverses the rejection. Claim 26 as amended sets forth:

... wavelengths handled by each of said plurality of WSMs are *tracked in configuration information of a corresponding WSM* ...  
(Claim 26; emphasis added)

In contrast, none of Kinoshita, Li, and Lahat teaches the above limitation. The Office Action stated that the combination of Kinoshita and Li does not disclose wavelengths handled by each of the WSMs are tracked in configuration information of a corresponding WSM (Office Action, p. 12). It is respectfully submitted that Lahat also fails to teach the above limitation. According to Lahat, the schedule looks up the wavelength of a corresponding destination output. Then the scheduler switch sends a control signal to the tunable optical transmitter setting it to a particular wavelength. (Lahat, col. 8, ln. 4-8) However, Lahat does not specifically disclose that the wavelengths are tracked in *configuration information of a corresponding WSM*. Therefore, Lahat fails to make up the

deficiencies of Kinoshita and Li. Since none of Kinoshita, Li, and Lahat teaches the above limitation, claim 26 is patentable over Kinoshita, in view of Li and Lahat. Withdrawal of the rejection is respectfully requested.

### Rejections Under 35 U.S.C. § 103(a)

Claims 2, 14, and 19 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Li in view of Tsao, and further in view of U.S. Patent No. 7,076,163 B2, of Kinoshita et al. (“Kinoshita”). Applicant respectfully traverses the rejection. Claims 2, 14, and 19 depend from claims 1, 13, and 18 respectively, and thus, include all limitations from their respective base claims.

For the reason discussed above with respect to claim 1, Li fails to disclose an optical transceiver putting an identification into the optical signal to allow *another component, the WSM, to determine if the second optical signal corresponds to the first optical signal.* Moreover, the other references, Tsao and Kinoshita, do not disclose an optical transceiver putting an identification into the optical signal to allow *another component, the WSM, to determine if the second optical signal corresponds to the first optical signal.* Tsao merely discloses an optical encoder (Tsao, abstract). Kinoshita merely discloses the use of combining amplifiers as combining elements (Kinoshita, col. 13, ln. 15-21). Thus, Li, Tsao, and Kinoshita, alone or in combination, fail to disclose every limitation set forth in claim 2. For at least this reason, claim 2 is patentable over Li in view of Tsao and Kinoshita. Withdrawal of the rejection is respectfully requested.

Claim 14 is also patentable over Li in view of Tsao and Kinoshita for the following reason. As discussed above with respect to claim 13, Li and Tsao fail to teach a set of processors to automatically determine whether the second optical signal corresponds to the

first optical signal in response to the identification and an interrupt. Further, Kinoshita fails to make up the deficiencies of Li and Tsao. Kinoshita merely discloses the use of combining amplifiers as combining elements (Kinoshita, col. 13, ln. 15-21). Thus, Li, Tsao, and Kinoshita, alone or in combination, fail to disclose every limitation set forth in claim 14. For at least this reason, claim 14 is patentable over Li in view of Tsao and Kinoshita. Withdrawal of the rejection is respectfully requested.

For the reason discussed above with respect to claim 14, claim 19 is also patentable over Li in view of Tsao and Kinoshita. Withdrawal of the rejection is respectfully requested.

## CONCLUSION

Applicant respectfully submits that the rejections have been overcome by the amendments and the remarks, and that the pending claims are in condition for allowance. Accordingly, Applicant respectfully requests the rejections be withdrawn and the pending claims be allowed.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. If any other petition is necessary for consideration of this paper, it is hereby so petitioned.

If there are any additional charges, please charge Deposit Account No. 02-2666 for any fee deficiency that may be due.

Respectfully submitted,

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